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PATENT

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Katie Hales
Katie Hales

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/779,935

Attorney Docket: DP-309763

Filing Date: 02/17/2004

Group Art Unit: 3616

Applicant: Timothy D. Bolduc et al.

Examiner: To, Toan C.

Title: THROTTLE DISABLE METHOD AND SYSTEM

MS Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PROVISIONAL ELECTION

Sir:

This is in response to the Office Action mailed September 19, 2006, imposing a Restriction Requirement between:

Species 1 in Fig. 2;

Species 2 in Figs. 3-4;

Species 3 in Figs. 5-6; and

Species 4 in Figs. 7-8.

Applicants provisionally elect to prosecute Species 2 of Figs. 3-4.

The Office Action avers that no claim is generic. Applicants disagree, and contend that claims 6-8 are generic to the four species.

In addition, Applicants designate that claims 1-5 and 9-16 read on the elected Species 2 in Figs. 3-4.

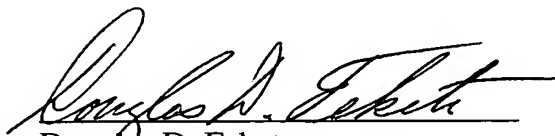
Applicants respectfully traverse the restriction requirement. Applicants believe that claims 1-5 read on Species 1, 2 and 4, and so may be considered generic to these 3 species.

Upon allowance of a generic claim, reserve a right to consideration of additional claims to the other species.

If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the phone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas D. Fekete", written over a horizontal line.

Douglas D. Fekete
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